

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

ENCOMPASS INSURANCE COMPANY OF  
MASSACHUSETTS,

Plaintiff,

vs.

JOSEPH D. GIAMPA, FREDERICK T.  
GIAMPA, ADVANCED SPINE CENTERS,  
INC. d/b/a FIRST SPINE REHAB, FUTURE  
MANAGEMENT CORPORATION,  
EDWARD KENNEDY, BRIAN J. CULLINEY  
and JENNIFER McCONNELL

Defendants.

CIVIL ACTION NO.: 05-11693RCL

**Memorandum of Law in Support of Defendants Joseph D. Giampa,  
Frederick T. Giampa, Advanced Spine Centers, Inc. and Future Management  
Corp.'s Motion to Enlarge Time to Oppose Motion to Compel Answers to Interrogatories**

Now come the Defendants Joseph D. Giampa, Frederick T. Giampa, Advanced Spine Centers, Inc and Future Management Corp. (hereinafter "the moving Defendants") and respectfully submit the within Memorandum of Law in Support of their request that the Court enlarge their time for opposing the Plaintiff's Motion to Compel Answers to Interrogatories.

**FACTS/ARGUMENT**

On or about March 16, 2007 Plaintiff served discovery requests upon the defendants in this matter. Such requests included Requests for Interrogatories, Request for Production of Documents and Requests for Admissions.

On April 22, 2007 Answers to Interrogatories were served for each of the moving defendants.

On June 25, 2007, Plaintiff moved to compel further Answers to these Interrogatories.

On July 09, 2007, Counsel for the moving defendants contacted counsel for the Plaintiff and requested a two (2) week extension to amend the interrogatories or file an opposition to the motion. Counsel for the Plaintiff has declined the request.

The moving Defendants respectfully request this extension for two separate reasons:

- (1) Counsel for the moving defendants maintains offices in Massachusetts and New York. For the past six (6) weeks both associate lawyers in the Massachusetts Office have been out of work (Katherine Kurtz has been on maternity leave and Frederick J. Conroy underwent macular surgery on May 29, 2007);
- (2) The New York office of Belesi & Conroy, P.C. is dissolving on August 01, 2007 and counsel to the moving defendants is moving offices on that date.

### **CONCLUSION**

Based on the foregoing the moving defendants respectfully request that the Court enlarge their time for opposing the Motion of the Plaintiff to July 23, 2007.

Respectfully submitted,  
The Moving Defendants  
By counsel,

/s/ Matthew J. Conroy  
Matthew J. Conroy (BBO# 566928)  
BELESI & CONROY, P.C.  
1225 Franklin Avenue – Suite 400  
Garden City, NY 11530  
(516) 248-2929

**CERTIFICATE OF SERVICE**

I, Matthew J. Conroy do hereby certify that a true and accurate copy of the foregoing pleading was served upon all counsel of record by ECF and by mailing the same US Mail 1<sup>st</sup> Class postage prepaid this 9<sup>th</sup> day of July 2007.

/s/ Matthew J. Conroy\_\_\_\_\_

Matthew J. Conroy

Dated July 09, 2007